

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHANE MATTHEW McKINLEY,	)	
	)	
Plaintiff,	)	8:09CV222
	)	
v.	)	
	)	
OMAHA POLICE DEPARTMENT,	)	ORDER
	)	
Defendant.	)	
	)	

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This matter is before the Court on plaintiff's motion to reopen case (Filing No. [12](#)). This matter was dismissed on November 2, 2009, because plaintiff failed to amend his complaint (Filing Nos. [10](#) and [11](#)). In his motion, plaintiff states that he submitted an amended complaint, but the clerk of the court docketed it as a new case, Case No. 8:09CV371 (Filing No. [12](#)). Indeed, a review of the Court's records shows that Case No. 8:09CV371 deals with the same issues and sets forth the same or similar claims as this matter (Filing No. [1](#); Case No. 8:09CV371, Filing No. [1](#)). That matter is still open and plaintiff has been directed to complete service of process by June 10, 2010 (Case No. 8:09CV371, Filing No. [17](#)). In short, the Court is permitting plaintiff the opportunity to pursue his claims in Case No. 8:09CV371, and sees no reason to reopen this duplicative matter. Accordingly,

IT IS ORDERED that plaintiff's motion to reopen case  
(Filing No. 12) is denied.

DATED this 14th day of April, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court